

**MINUTES FOR A SPECIAL MEETING OF THE CIVIL SERVICE COMMISSION  
HELD AT 6:00 P.M., THURSDAY EVENING, MARCH 25, 2004  
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA - 2nd FLOOR**

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MEMBERS PRESENT: Berube, Paul  
Ellis, William J.  
Harris, Alvin  
Martinez, Ramy  
Ruck, Lance  
Schwartz, Elma  
Sutherland, Ken

MEMBERS ABSENT: Graham, Elijah

ALSO PRESENT: Bond, Terry - C.S.C. Secretary  
Buenning, Rosy - C.S.C. Recorder  
Cuellar, Lupe - Deputy City Attorney  
Fargo, Peter - Human Resources  
Peña, Armando - Human Resources  
Sienkiewicz, Jim - Human Resources  
Thomas, Linda - Human Resources  
Scott, Terry Lee - Sun Metro  
Vallejo, Joe - Sun Metro  
Devereaux, Neil - Translator  
Surface, Steven - Fire Dept.  
Loweree, Fred - El Paso Water Utilities  
Foust, Marvin - Assistant City Attorney  
Wiles, Richard - Interim Police Chief  
Razo, Richard - Solid Waste Management  
Ceniceros, Leo - Human Resources  
Arballo, Bill - AFSCME Local 59

The meeting convened at 6:00 p.m. with a quorum of 6 Commissioners present and Chair Berube presiding. (Commissioner Sutherland arrived before voting on Item 10.)

**CONSENT AGENDA**

1. Discussion and Action on Approval of Minutes:  

March 11, 2004
2. Discussion and Action on Approval of Contracts:
  - A. Four (4) Independent Services Contracts with Rosa Arzola, Liza Enriquez, Mary L. Mooney and Esther Saldaña, from April 1, 2004 through March 31, 2005, for Community and Human Development.
  - B. Personal Services Contract with Terresa A. McGlone to perform the duties of Grants Administrator from April 14, 2004 through April 15, 2005, for Financial & Administrative Services.
  - C. Personal Services Contract with Kimberly McCarden to perform the duties of Museum Development Assistant from March 31, 2004 through March 30, 2005, for the El Paso Museum of Art.
  - D. Three (3) Personal Services Contracts with Esther S. Mata, Araceli Salcedo and Maria E. Rivera, for the El Paso Police Department.
  - E. Personal Services Contract with Cindy Duran to perform the duties of CRT Case Manager from July 1, 2004 through June 30, 2004, for the El Paso Police Department.

Ms. Bond advised the Commission of a correction to Item 2E. The beginning date should read July 1,

2003 as this is an Amendment to a current contract.

3. Discussion and Action on Approval of Applications for Outside Employment:

A.	Abascal - Victor G. - Police	P.	Lowe - Edward - Fire
B.	Acosta - Vanessa - Police	Q.	Loya - Hector J. Jr - Police
C.	Arrieta - Carmen - Comptrollers	R.	Lujan - Lawrence - Police
D.	Cereceres-Martin - Solid Waste Mgt.	S.	Martinez - Jason - Police
E.	Chavez - Luz - Fire	T.	Medina - Jesus - Police
F.	Fonseca - Adrian A. - Police	U.	Perez - Andrew P. - Police
G.	Garcia - Juan - Police	V.	Robles - Jesus E. - Fire
H.	Gedmin - Deanne - Police	W.	Romero - Steve - Police
I.	Guerra - Marcos - Fire	X.	Romero - Steve - Police
J.	Guevara - Joseph - Police	Y.	Saenz - Patricia L. - Museum
K.	Gutierrez - Kendall - Fire	Z.	Santo - Suzanne - Bldg. Permits & Insp.
L.	Hanner - Linda L. - Police	AA.	Valles - Rodolfo - Bldg. Permits & Insp.
M.	Happ - Stefan - Police	BB.	Villa - Ruben - Police
N.	Harmon - Charles - Police	CC.	Villasana - Maria I. - Police
O.	Love - Tony - Street		

4. Notice of Promulgation of Eligible Lists:

- A. Airport Operations Superintendent (P-3)
- B. Police Detective (P-24)
- C. Police Administrative Services Manager (P-8)(O-1)
- D. Public Safety Call Taker (P-8)(CR-1)(O-128)
- E. Public Safety Dispatcher-Police (P-14)(O-141)
- F. Well Maintenance Worker I (P-3)(CR-2)(O-1)

5. Discussion and Action on Approval of Classification Actions:

NEW JOB CLASS/REVISED JOB CLASS/REVISED JOB CLASS & GRADE;		REVISED JOB CLASS, TITLE & GRADE	
	<u>TITLE</u>	<u>CODE</u>	<u>GRADE</u>
A.	PROPOSED: Municipal Services Assistant Director for Facilities Management	5866	EX E
B.	OFFICIAL: EPWU Wastewater Plant Technician II	3409	GS 20
	PROPOSED: Same	Same	Same
C.	OFFICIAL: EPWU Wastewater Plant Assistant Super.	3411	GS 26
	PROPOSED: Same	Same	Same
D.	OFFICIAL: EPWU Sewage Plant Superintendent III	5462	PM 78
	PROPOSED: EPWU Wastewater Plant Superintendent	Same	Same
E.	OFFICIAL: EPWU Reclamation Plant Superintendent	5463	PM 80
	PROPOSED: Same	Same	Same
F.	OFFICIAL: Community & Human Development Director	5794	EX C
	PROPOSED: Same	Same	Same

6. For Notation: Request to have appeal heard by Arbitrator:

- A. Moncada, Martin – Suspension – Police Dept. (CP04-030)
- B. Montes, Ricardo – Suspension – Police Dept. (CP03-396)

7. Discussion and Action on Request to have name placed on Transfer List:

Perdue, Robert – Laborer – Solid Waste Management

MOTION TO APPROVE THE CONSENT AGENDA WITH THE MODIFICATIONS MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

**REGULAR AGENDA**

8. Discussion and Action dismissing Bashar Abugalyon's Performance Evaluation appeal.

Commissioner Ellis stated that the last time this item was acted upon by the Commission it was deleted, not dismissed and in order to close the actions it must be dismissed.

MOTION TO DISMISS MR. ABUGALYON'S PERFORMANCE EVALUATION APPEAL MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

9. Discussion and Action on note and documents from Jesus Luna to the Civil Service Commission concerning police misconduct.

MOTION MADE BY COMMISSIONER ELLIS TO ADDRESS ITEM 9 AFTER ITEM 26, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

Teresa Caballero, member of the public, stated that she opposed moving the item to the end of the agenda and requested it be addressed in the order it appeared on the agenda.

Mr. Luna stated that when he was late for the last CSC meeting by a few minutes his item was not postponed and he was not even allowed to speak.

*This item was addressed after Item 26.*

Gerald Cichon, Attorney for the Police Officer, stated that he did not waive his right to address this item in Executive Session.

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

Deputy City Attorney Lupe Cuellar stated that they were retiring into Executive Session under Section 551.074 Personnel Matters.

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The Commission retired into Executive Session at 8:46 p.m. to discuss Item 9, and reconvened for Open Session at 10:36 p.m.

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MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

Commissioner Ruck stated that the Commission in Executive Session reviewed all the new evidence submitted as well as all the previous evidence and they did not find any additional evidence or supporting evidence persuasive enough to change their original opinion concerning Officer Peralta. They also did not find any supporting evidence that would remove Officers Flores, Guerrero and Rau from their positions. They also stated that the Commission doesn't have any authority over Attorney Ken Del Valle.

MOTION TO DENY ITEM 9 MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

10. Discussion and Action on Guillermo Luevano's statement dated March 8, 2004, alleging Police Officer misconduct.

MOTION MADE BY COMMISSIONER HARRIS TO ADDRESS ITEM 10 AFTER ITEM 26 BUT FAILED FOR LACK OF A SECOND.

Dr. Neil Devereaux was present to translate for Mr. Luevano. Mr. Luevano requested to hear the case in Open Session.

Gerald Cichon, Attorney for the Police Officer, stated that he also wanted to address this item in Open Session.

Chair Berube asked Mr. Luevano if he had any comments for the Commission, aside from the documentation he had presented.

*Commissioner Sutherland arrived before voting on Item 10.*

Mr. Luevano said he did not and stated he was sure that Officer Peralta assaulted his son and had the medical bills to prove it.

Commissioner Ellis asked if there was any question reference the sufficiency of the complaint.

Deputy City Attorney Lupe Cuellar pointed out that Mr. Guillermo Luevano was not present during the incident and also reminded them of Jaime Luevano's statement.

Mr. Luevano spoke about the officer wanting to take revenge on his son.

Commissioner Ellis stated that the incidents that Mr. Luevano was speaking about were not incidents that happened on the date of the incident.

Commissioner Ruck asked Mr. Luevano if he was aware of the statement that his son, Jaime Luevano, had given and asked that it be translated to him. The statement was read in Spanish by Translator Dr. Neil Devereaux to Mr. Luevano. In summary, the statement said that Jaime Luevano did not want to give a statement reference his injuries and didn't want to pursue this matter at this point in time.

Mr. Luevano stated that the only part of the statement he didn't believe was the part about getting money from the City because they didn't need any money.

Commissioner Ruck asked Mr. Luevano if he believed the statement read to him was signed by his son.

Mr. Luevano said he did. He also stated that a Captain from the Police Department went to talk to his son in jail and told him he better drop this against Peralta or someone would eventually catch him and put him in jail for life.

Richard Wiles, Interim Police Chief, stated that this case was investigated. The investigation was initiated in November 2002 and found by Deputy Chief Martinez to not sustain the allegations. He told the Commission he had the complete investigation and didn't have any problem with any of the Commissioners reviewing it.

Commissioner Ellis was concerned that anybody could come in and swear to a piece of paper and accuse any city employee of misconduct. He believed that this particular complaint was inadequate as there was no information in the complaint upon which the complainant's belief was based.

Teresa Caballero said she wasn't here to speak on the sufficiency of the complaint but suggested that they ask Jaime Luevano himself the questions they had as he could be subpoenaed and brought over from the jail. She was concerned about the Police Department going over to the jail and speaking to people in custody as they have done in this case, without the permission of the person's attorney. She said that Mr. Monteros who represents Mr. Jaime Luevano was never contacted by the Police officials who took this statement.

Commissioner Ellis said that he didn't believe that they had a legal duty to consult with a person's attorney to speak with a witness. If they are speaking to a suspect and that person invokes his right to counsel at that time then they do have to at that time.

MOTION TO DELETE ITEM 10 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

11. Discussion and Action on Request from Debbie McFadden reference Ordinance 8064, Section 6, Adjustment of Employee Complaints for Classification and Compensation Purposes.

Attorney Michael Cohen was present representing Ms. McFadden who was also present. Mr. Cohen requested a Hearing Officer be assigned to this case.

Mr. Cohen said that was correct.

Commissioner Ruck asked legal counsel if there was anything that prohibited the Commission from assigning this to a Hearing Officer. It appeared that Ms. McFadden was given supervisory duties over a 4-year period and he believed she should have been paid for it. Commissioner Ruck asked Mr. Cohen why they wanted the case assigned to a Hearing Officer.

Mr. Cohen said for pay and for credit.

Deputy City Attorney Lupe Cuellar told the Commission they have to look at what remedy they wanted. Her legal opinion to them was they don't have authority over compensation issues but they do have authority over classification issues.

Ms. Bond said that Human Resources was asked to look at this issue in 2002 and the Commission was provided with copies of the documentation. After the review, the department was advised to remove the supervisory responsibilities from Ms. McFadden, however, the review of the classification did not warrant an upgrade.

Discussion.

Commissioner Ruck requested that Mr. Cohen be provided with the backup documentation that the Commission received.

Deputy City Attorney Lupe Cuellar told the Commission she would provide her legal opinion to the Hearing Officer too.

MOTION TO ASSIGN DEBBIE MCFADDEN'S CASE TO A HEARING OFFICER TO CONSIDER CLASSIFICATION AND COMPENSATION MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

12. Discussion and Action on amendment to Civil Service Rule 21 (Tabled 01/22/04; 02/12/04; 02/26/04; 03/11/04).

Commissioner Ellis reviewed the memorandum he submitted as backup to Items 12 and 13. He said that after having their legislative review meeting they discovered that nobody really knew what the first paragraph of the rule meant. The consensus was to review the first paragraph of Rule 21 and amend it so that the language was understandable to everyone.

Discussion.

Chair Berube said that the rule was to prevent anybody from getting in touch with any of the Commissioners and asking them to view something favorably that is to come before them on the agenda.

Commissioner Ruck stated that City Attorney Elizondo was to provide language for a new rule to the Commission for review.

Deputy City Attorney Lupe Cuellar apologized for not having that for them, Ms. Elizondo had directed her to have it ready for the Commission.

Bill Arballo, AFSCME Local 59, stated that he supported tabling the matter until the full and complete language is provided.

Commissioner Ellis said that he also saw ambiguity in the language in the phrase "except on notice and opportunity for all parties to participate." Striking those words might be considered.

Discussion.

MOTION TO DELETE THE FIRST PARAGRAPH OF THE RULE MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SUTHERLAND (no vote taken)

Commissioner Ellis amended his motion as follows:

MOTION TO DELETE THE FIRST 12 WORDS OF RULE 21 AS FOLLOWS MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

"Unless required for the disposition of ex parte matters authorized by law"

13. Discussion and Action on amendment of Civil Service Rule 14, Efficiency Ratings, Section 7, Appeals (Tabled 02/12/04; 02/26/04; 03/11/04).

Commissioner Ellis asked what language did the new amendment have that wasn't in front of them now and who was undertaking the study.

Deputy City Attorney Lupe Cuellar told the Commission that City Attorney Elizondo was working on this.

Bill Arballo stated that the backup paperwork for various items on this agenda is not available to the public.

Ms. Bond advised that they could request the backup.

Commissioner Ruck requested to have the proposal in front of them now, and the proposal from the City at the next meeting.

Deputy City Attorney Lupe Cuellar said it should be available for the next meeting.

MOTION TO TABLE ITEM 13 MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND PASSED BY A VOTE OF 5 TO 1.

Ayes: Commissioners Martinez, Sutherland, Schwartz, Harris, Ruck

Nay: Commissioners Ellis

14. Discussion and Action on amending Rule 20, Lay-offs, Job Rights, Reinstatement (Tabled 03/11/04).

Ms. Bond requested the item be deleted.

MOTION TO DELETE ITEM 14 MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

15. Discussion and Action on new civil service rule to address outside employment for classified employees.

Bill Arballo, AFSCME Local 59, reiterated that he did not have copies of the backup material for this item. He said he had already made an Open Records Request for the backup so that he could review the language. He believed the public should be allowed to review the backup material before the meeting so they can address their concerns. He supported the motion to extend the outside employment hours from 20 to 25 hours.

MOTION TO ADOPT THE PROPOSED RULE MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER RUCK AND UNANIMOUSLY PASSED.

16. Discussion and Action on Request to have name placed on Reinstatement List:

Meraz, Gabriela – Library Assistant

MOTION TO APPROVE ITEM 16 MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

## 17. Approve merit increases in accordance with C.S.C. Guidelines:

- A. Airport - Vargas, Pablo - Accountant I
- B. E.P.W.U. - Brosman, David R. - Chief Operations Officer
- C. Police - Cordero, Isela - Public Safety Call Taker
- D. Police - Guerra, Priscilla - Secretary II
- E. Police - Levine, Sharon Marlene - Secretary II
- F. S.W.M. - Carrasco, Omar - Ref. Coll. Route Foreman
- G. S.W.M. - Cervantes, Antonio - Sanitation Worker
- H. S.W.M. - Escarsega, Rodolfo - Auto Ref. Coll. Operator
- I. S.W.M. - Fragoso, Rene - Auto Ref. Coll. Operator
- J. S.W.M. - Guerrero, Ricardo - Solid Waste Landfill Attendant
- K. S.W.M. - Jimenez, Rafael - Auto Ref. Coll. Operator
- L. S.W.M. - Lopau, Rodolfo - Sanitation Worker
- M. S.W.M. - Morales, Luis G. - Auto Ref. Coll. Operator
- N. S.W.M. - Morales, Oscar - Ref. Coll. Route Foreman
- O. S.W.M. - Ortiz, Albert - Ref. Coll. Route Foreman
- P. S.W.M. - Ortiz, Octaviano - Sanitation Worker
- Q. S.W.M. - Peña, Eleuterio - Ref. Coll. Asst. Route Foreman
- R. S.W.M. - Ramirez, Robert - Ref. Coll. Asst. Route Foreman
- S. S.W.M. - Rodriguez, Juan M. - Auto Ref. Coll. Operator
- T. S.W.M. - Terry, Don - Auto Ref. Coll. Operator
- U. S.W.M. - Yañez, Ruben - Auto Ref. Coll. Operator
- V. S.W.M. - Youngblood, Randy - Equipment Operator II
- W. S.W.M. - Zarazua, Manuel - Ref. Coll. Route Foreman

MOTION TO APPROVE ITEMS 17A-17W MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

## 18. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:

Rodriguez, Gerardo – Suspension – Mass Transit (03-SM-26BY)

Bill Arballo, AFSCME Local 59, was present representing Mr. Rodriguez who was also present. Mr. Arballo presented some facts of the case to the Commission.

Marvin Foust, Assistant City Attorney, stated that Mr. Arballo had the opportunity to present all his witnesses, testimony and documentation to the Hearing Officer and didn't believe Mr. Arballo should present his case to the Commission again after having the hearing with the Hearing Officer. Mr. Foust said the City didn't have any objections to the Hearing Officer's recommendation.

Terry Lee Scott, Director of Sun Metro, told the Commission that the supervisor asked Mr. Rodriguez in a civil manner and a calm voice if he had cleaned his area. He agreed that the supervisor should have pulled the employee into the office. Mr. Rodriguez was the one who started yelling at the supervisor and was confrontational. The supervisors never challenged Mr. Rodriguez, it was the opposite.

Discussion.

MOTION TO APPROVE THE HEARING OFFICER'S RECOMMENDATION (SEE BELOW) WITH REGARD TO CHARGES AND SPECIFICATIONS BE APPROVED; AND THAT THE DISCIPLINE OF ONE-DAY SUSPENSION BE REDUCED TO A WRITTEN REPRIMAND.

"I recommend to the El Paso Civil Service Commission that:

1. The Charges and Specifications against GERARDO RODRIGUEZ be sustained, with the exception that there is no evidence that he did not leave his bay dirty, and that this incident was not based upon prior reprimands, but based entirely on the specific conduct and words of the Appellant.

Assistant City Attorney Marvin Foust asked the Commission if he should be prepared to retry these cases in front of the Commission after a Hearing Officer has already had a hearing and rendered a decision on the matter.

Chair Berube said generally speaking no.

19. Discussion and Action on Approval of Hearing Officer's Statement:

A. Olivas, Jesus – Dated 03/04/04

MOTION TO APPROVE ITEM 19A MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

B. Palafox, Patricia – Dated 03/08/04 – February 2004

MOTION TO APPROVE ITEM 19B MADE BY COMMISSIONER MARTINEZ, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

20. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.1.:

Lonvelin, Ernesto – Solid Waste Operations Superintendent

Mr. Lonvelin was present. Chair Berube read the specifics of Mr. Lonvelin's disqualification. Mr. Lonvelin told the Commission he has exceeded his standards on his past evaluations and he has supervised for over 5 years. He said he was just requesting to be allowed to take the test.

Richard Razo, Assistant Director for Solid Waste Management, stated that at the time that Mr. Lonvelin was asked to carry on the duties of the supervisory position until the position was filled permanently. Documentation was submitted so he could get credit for this experience.

Leo Cenicerros, Human Resources Analyst, stated that he reviewed Mr. Lonvelin's file and his performance evaluations say that he was given credit for his experience as a supervisor. He was given credit for 30 days per year of experience because the department didn't request that he be worked out of classification.

MOTION TO APPROVE ITEM 20 MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

20.5 Discussion and action on the revocation of the eligible list for City Engineer due to an error consistent with CSC Rule 12, Section 4, that part stating, "An eligible list, other than a reinstatement list, may be revoked and another examination ordered only when in the judgment of the Commission such action is deemed advisable because of errors, fraud or inappropriate standards prescribed in connection with an examination."

Commissioner Ellis asked if the assessment center panel erred because of the vendor issue.

Ms. Bond said that there was the appearance that the assessor that was and is currently a vendor could influence the other assessors who weren't vendors.

MOTION TO REVOKE THE ELIGIBLE LIST FOR CITY ENGINEER MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

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The Commission retired into Executive Session at 8:10 p.m. to discuss Item 21, and reconvened for Open Session at 8:34 p.m.

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MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY



COMMISSIONER SUTHERLAND, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

21. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rules and Regulations:

Villa, Eddie – Equipment Operator II (Ord. 8064, 5.1.b. & 8.1.b.)

Mr. Villa was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO DENY ITEM 21 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

22. Discussion regarding Civil Service Commission secretary.

MOTION TO TABLE ITEM 22 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

23. Discussion and action regarding promulgation of procedural rules governing Commission meetings, duties of the Chair, Vice-Chair and Secretary, and Committees.

Commissioner Ellis stated that at various times the Commission has discussed some rules or procedures and the like. He requested the Chair assign a committee to review and examine the promulgation of these rules and report back to the Commission at a later time. He told the Commission he drafted a proposed Rule 1 which they had in front of them and he briefly reviewed it.

Commissioner Sutherland commended Commissioner Ellis on all the work he put into this proposal and believed he should be part of the committee.

Chair Berube assigned a committee consisting of Commissioners Ellis, Sutherland, Schwartz and Ruck to review and examine this issue.

MOTION TO TABLE ITEM 23 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SUTHERLAND AND UNANIMOUSLY PASSED.

24. Discussion and Action on Review of Open Items List:

- A. Professional/Managerial Guidelines Exploratory Committee
- B. Quarterly and Yearly Reports of the CSC (Proposed Measurables)
- C. Review and amend CSC rules as appropriate

Chair Berube asked if the performance evaluations were continuing to be filed on a timely basis.

Ms. Bond said she would look into the matter and report back to the Commission.

Chair Berube said the reason he was asking was because ever since the Commission pushed so hard to have all departments be current, the Commission had fewer and fewer people object to their evaluations.

25. Discussion and Action on Proposed appointment to the Civil Service Commission:

- A. Peña, Andrew M. Sr. to replace Cecilia Arriola – Mayor's Office

MOTION TO GIVE MR. PEÑA A FAVORABLE RECOMMENDATION MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

- B. Schwartz, Elma – Reappointment – District 6

MOTION TO GIVE MS. SCHWARTZ A FAVORABLE RECOMMENDATION MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

26. Discussion and Action on Request to reset ending date of probationary period in accordance with

Article VI, Section 6.9-1 of the C.S.C. Charter:

A. Balcorta, Alfredo – Refuse Collection Route Foreman - Solid Waste Management

MOTION TO APPROVE ITEM 26A MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

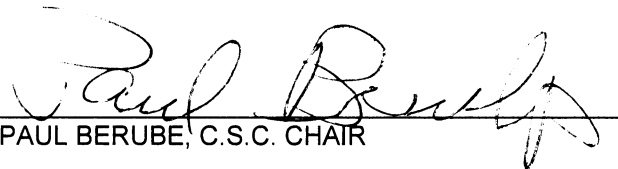
B. Villa, Maria de Jesus – Refuse Collection Asst. Route Foreman – Solid Waste Mgmt.

MOTION TO APPROVE ITEM 26A MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

*Item 9 was addressed here.*

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER RUCK, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 10:38 P.M.

  
PAUL BERUBE, C.S.C. CHAIR

  
TERRY BOND, C.S.C. SECRETARY

4-8-04  
DATE APPROVED